



Docket No.: 235165US55CONT



ATTORNEYS AT LAW

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

RE: Application Serial No.: 10/617,673
Applicants: Hartwig KUNZEL, et al.
Filing Date: July 14, 2003
For: VAPOR BARRIER FOR USE IN THE HEAT
INSULATION OF BUILDINGS
Group Art Unit: 1773
Examiner: KILIMAN

SIR:

Attached hereto for filing are the following papers:

PETITION UNDER 37 C.F.R. §1.181

**W/COPY OF INFORMATION DISCLOSURE STATEMENT, PTO 1449 FORM AND DATE-
STAMPED FILING RECEIPT DATED SEPTEMBER 15, 2004**

Our check in the amount of _____ is attached covering any required fees. In the event any variance exists between the amount enclosed and the Patent Office charges for filing the above-noted documents, including any fees required under 37 C.F.R. 1.136 for any necessary Extension of Time to make the filing of the attached documents timely, please charge or credit the difference to our Deposit Account No. 15-0030. Further, if these papers are not considered timely filed, then a petition is hereby made under 37 C.F.R. 1.136 for the necessary extension of time. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

Jean-Paul Lavalleye
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Registration No. 45,518

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235165US55CONT



IN THE UNITED STATES PATENT & TRADEMARK OFFICE

IN RE APPLICATION OF :
HARTWIG KUNZEL, et al. : EXAMINER: KILIMAN
SERIAL NO: 10/617,673 : ALLOWED: SEPTEMBER 27, 2004
FILED: JULY 14, 2003 : GROUP ART UNIT: 1773
FOR: VAPOR BARRIER FOR USE
IN THE HEAT INSULATION
OF BUILDINGS

PETITION UNDER 37 C.F.R. §1.181

ASSISTANT COMMISSIONER FOR PATENTS
ALEXANDRIA, VA. 22313

SIR:

Applicants hereby petition the Commissioner pursuant to 37 C.F.R. 1.181 to invoke supervisory authority to respectfully request that the Examiner provide a return, signed, initialed and dated copy of Form 1449 attached to the Information Disclosure Statement filed September 15, 2004.

The Applicants contacted Examiner Kiliman on November 12, 2004 and on November 23, 2004 to request consideration of the above-mentioned Information Disclosure Statement and return of an initialed and signed copy of Form 1449. However, while the Examiner indicated that this would be resolved, apparently the file was not available as it was sent to the printer for publication. Accordingly, the Applicants now petition for matching and consideration of the Information Disclosure Statement and return to them of written acknowledgement of this statement via Form 1449. For the convenience of the Examiner a copy of the previously-filed Information Disclosure Statements and the date-stamped filing

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receipts are attached to this petition.

Applicants do not believe that any petition fee is due. However, in the event any variance exists between the required petition fees and this amount, please charge or credit the difference to our Deposit Account No. 15-0030.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
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Dept.: Chemical

By: JPL/DJP/kmm

OSM&N File No. 235165US55CONJ

Serial No. 10/617.673

In the matter of the Application of: Hartwig KUNZEL, et al.

For: VAPOR BARRIER FOR USE IN THE HEAT INSULATION OF BUILDINGS

Due Date: N/A

The following has been received in the U.S. Patent Office on the date stamped hereon

■ Credit Card Form for \$180.00

■ Dep. Acct. Order Form

■ Information Disclosure Statement

■ PTO-1449

■ Cited References 28

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Docket No. 235165US55CONT

DEC 27 2004

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

IN RE APPLICATION OF: Hartwig KUNZEL, et al.

SERIAL NO: 10/617,673

GAU: 1773

FILED: July 14, 2003

EXAMINER: BEFUMO

FOR: VAPOR BARRIER FOR USE IN THE HEAT INSULATION OF BUILDINGS

INFORMATION DISCLOSURE STATEMENT UNDER 37 CFR 1.97

COMMISSIONER FOR PATENTS
ALEXANDRIA, VIRGINIA 22313

SIR:

Applicant(s) wish to disclose the following information.

REFERENCES

- ☐ The applicant(s) wish to make of record the references listed on the attached form PTO-1449. Copies of the listed references are attached, where required, as are either statements of relevancy or any readily available English translations of pertinent portions of any non-English language references.
- ☒ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

RELATED CASES

- ☐ Attached is a list of applicant's pending application(s) or issued patent(s) which may be related to the present application. In accordance with discussions on August 4, 2004 with Mr. Nicholas P. Godici, Commissioner for Patents, it is no longer required to submit copies of cited pending applications. A modification of the Rules will be published soon in the Official Gazette. Cited issued patents, if any, are listed on the attached PTO form 1449.
- ☐ A check or credit card payment form is attached in the amount required under 37 CFR §1.17(p).

CERTIFICATION

- ☐ Each item of information contained in this information disclosure statement was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this statement.
- ☐ No item of information contained in this information disclosure statement was cited in a communication from a foreign patent office in a counterpart foreign application or, to the knowledge of the undersigned, having made reasonable inquiry, was known to any individual designated in 37 CFR §1.56(c) more than three months prior to the filing of this statement.

DEPOSIT ACCOUNT

- ☒ Please charge any additional fees for the papers being filed herewith and for which no check or credit card payment is enclosed herewith, or credit any overpayment to deposit account number 15-0030. A duplicate copy of this sheet is enclosed.

Respectfully submitted,

OBLON, SPIVAK, McCLELLAND,
MAIER & NEUSTADT, P.C.

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DEC 27 2004

SHEET 1 OF 2

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 235165US55CONT		SERIAL NO. 10/617,673	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Hartwig KUNZEL, et al.			
				FILING DATE July 14, 2003		GROUP 1771	
U.S. PATENT DOCUMENTS							
EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	AA	3,297,518	01/10/67	Maschner, et al			
	AB	3,908,079	09/23/75	Marzolf, et al.			
	AC						
	AD						
	AE						
	AF						
	AG						
	AH						
	AI						
	AJ						
	AK						
	AL						
	AM						
	AN						
FOREIGN PATENT DOCUMENTS							
		DOCUMENT NUMBER	DATE	COUNTRY	TRANSLATION YES NO		
	AO	EP 0 167 714 A2	3/94	Europe (corr. To DE 34 25 795) (with computer generated English translation)			
	AP	DE 35 38 597 C2	5/28/86	Germany (corr. to U.S. patent 4,630,421)			
	AQ	EP 0 148 870 B1	7/24/85	Europe			
	AR	DE 93 08 678 U1	09/23/93	Germany (with computer generated English translation)			
	AS	85/00188	01/17/85	WIPO			
	AT	1886678		Germany			
	AU						
	AV						
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AW	Verkaufsunterlage B.I.-Natur Dampfbremsplatte armiert der Firma Ökologische Bausysteme B.I. Moll GmbH & Co KG, herausgegeben 1994, Seite 1 (with computer generated English translation)					
	AX	Untersuchungsbericht des Fraunhofer-Instituts vom 11. August 1994 (with computer generated English translation)					
	AY	DIN 53 122, November 1974, Blatt 1, Seite 3/346 bis 349					
	AZ	Wassertransport durch Diffusion in Feststoffen von H. Klopfer, Bauverlag GmbH, Wiesbaden und Berlin, Ausgabe 1974 (with computer generated English translation)				<input type="checkbox"/> Additional References sheet(s) attached	
Examiner					Date Considered		

Form PTO 1449 (Modified)		U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE		ATTY DOCKET NO. 235165US55CONT		SERIAL NO. 10/617,673	
LIST OF REFERENCES CITED BY APPLICANT				APPLICANT Hartwig KUNZEL, et al.			
				FILING DATE July 14, 2003		GROUP 1771	
OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, etc.)							
	AAA	Wasserdampfdiffusion im Bauwesen, Ein Leitfaden zur Verhütung von Bauschäden durch diffusionstechnisch einwandfreie Baukonstruktionen, von Dipl.-Ing. Karl Seiffert, Bauverlag GmbH, Wiesbaden und Berlin, Ausgabe 1974 (with computer generated English translation)					
	AAB	Bauphysikalische Entwurfslehre von Dr. Ing. Friedrich Eichler, VEB Verlag für Bauwesen, Berlin, Ausgabe 1968 (with computer generated English translation)					
	AAC	Bauphysikalische Entwurfslehre von Dr. Ing. Friedrich Eichler, VEB Verlag für Bauwesen, Berlin, Ausgabe 1968 (with computer generated English translation)					
	AAD	DIN-Norm 52 615, November 1987, Seite 1 bis 4					
	AAE	Prospekt „HYGRODIODE Die duoaktive Dampfbremse“ der Fa. Icopal GmbH (with computer generated English translation)					
	AAF	IBP-Mitteilung 268 des Fraunhofer-Instituts für Bauphysik: „Feuchteadaptive Dampfbremse für Gebäudedämmungen“, (22) 1995 (with computer generated English translation)					
	AAG	Wasseraufnahme und Konditionierung von Formteilen aus Durethan, Produktinformation der Firma Bayer, 08.1995 (with computer generated English translation)					
	AAH	Fachartikel „Geneigte Dächer ohne chemischen Holzschutz“, von Horst Schulze, in wksb 27/1989 (with computer generated English translation)					
	AAI	Studies of the water-vapor transmission rate and the water proofness of various commercial polymer films Caplus“, 1998 Host: STN International					
	AAJ	Polyvinyl Alcohol, Properties and Applications, ed. C.A. Finch 1973, Verlag John Wiley & Sons Ltd.					
	AAK	Vergleich des Verhaltens von PVA- und PA-Folien durch tabellarische Gegenüberstellung von P und kD; Umrechnungsformeln aus der Fachzeitschrift Bauphysik, Kapitel 2.3 „Umrechnung von Diffusionskenngrößen“, Diagramm aus Fachartikel von Dr. H.M. Künzel (with computer generated English translation)					
	AAL	Prospekt Difunorm Vario, „Die feuchteadaptive Dampfbremsfolie“ (with computer generated English translation)					
	AAM	Prospekt Sonderdruck aus Stuck-Putz-Trockenbau 55 (1997), Heft 2, Seite 34-37 „Die Folie denkt mit“ (with computer generated English translation)					
	AAN	Eidesstattliche Erklärung von Herrn Moll (with computer generated English translation)					
	AAO	Eidesstattliche Erklärung von Herrn Dr. Lusky (with computer generated English translation)					
	AAP	Prüfprotokoll der „Materialforschungs- und Prüfungsanstalt Leipzig e.V.“ vom 9. Juni 1998 (with computer generated English translation)					
	AAQ						
Examiner				Date Considered			
*Examiner: Initial if reference is considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.							